

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

NOTICE OF APPEAL, REQUEST FOR EXTENSION, AND TRANSMITTAL OF RESPONSE		Docket Number 2345/103
Application Number 09/423,948	Filing Date April 14, 2000	Examiner Hoan C. Nguyen Art Unit 2871
Title INTERFEROMETER TUNABLE IN A NON-MECHANICAL MANNER BY PANCHARANTNAM PHASE		Applicant(s) Leonid Beresnev, et al.

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I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office via EFS-Web submission with attention to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: April 14, 2009

Signature: /Linda Lecomte/
Linda Shudy Lecomte (Reg. No. 47,084)

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated October 14, 2008, finally rejecting claims 6 to 27. Applicants believe that claims 6 to 27 in their present form should be allowed, and respectfully make this appeal of the Examiner's rejections of those claims.

In addition, Applicants are filing herewith a Response in the present application for consideration by the Patent Office. This is also a Request under 37 C.F.R. § 1.136(a) to extend the three-month response date by three months from January 14, 2009 to April 14, 2009.

The Commissioner is hereby authorized to charge the 37 C.F.R. § 1.191 Notice of Appeal fee, which is believed to be **\$540.00**, and the extension fee amount of **\$1110.00** to the deposit account number **11-0600** of **Kenyon & Kenyon LLP**. The Commissioner is also authorized, as appropriate and/or necessary, to charge any additional fees, including any additional Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon LLP**.

Dated: April 14, 2009

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